**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE KURIAN JOSEPH**

**WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929**

**WP(C).No. 40242 of 2003(N)**
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**PETITIONER:**
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**E.P.DEVASSY, X/772, EAKKULATHUR HOUSE, KANDASSANKKADAVU P.O. THRISSUR, REP. BY HIS POWER OF ATTORNEY HOLDER SMT.P.D.PRINCY.**

**BY ADV. SRI.K.MANOJ CHANDRAN,**
**SRI.N.O.THOMAS.**

**RESPONDENTS:**
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1. **INSRUANCE REGULATORY AND DEVELOPMENT, AUTHORITY, NEW DELHI, REP. BY ITS CHAIRPERSON.**
2. **THE DESIGNATED PERSON, THE CHAIRPERSON, INSURANCE REGULATORY AND DEVELOPMENT AUTHORITY, NEW DELHI.**
3. **THE CHAIRMAN, LIFE INSURANCE CORPORATION OF INDIA, MUMBAI.**
4. **THE SENIOR DIVISIONAL MANAGER, (DISCIPLINARY AUTHORITY), LIFE INSURANCE CORPORATION OF INDIA, ERNAKULAM DIVISION.**

**W.P.(C). NO.40242/2003:**

**5. THE BRANCH MANAGER,**
**LIFE INSURANCE CORPORATION OF INDIA,**
**BRANCH NO.II, THRISSUR.**

**BY ADV. SRI.VARGHESE C.KURIAKOSE,**
**SRI.JACOB SEBASTIAN,**
**SRI.PRAVEEN K. JOY.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**W.P.(C). NO.40242/2003:**

**APPENDIX**

**PETITIONER'S EXHIBITS:**

**EXT.P.1: COPY OF THE LICENCE NO. 116492 DTD. 02/04/2001.**

**EXT.P.2: COPY OF THE SHOW CAUSE NOTICE DTD. 11/12/2002.**

**EXT.P.3: COPY OF THE REPLY STATEMENT DTD. 09/01/2003.**

**EXT.P.4: COPY OF THE REPRESENTATION DTD. 12/02/2003.**

**EXT.P.5: COPY OF THE REPRESENTATION DTD. 18/04/2003.**

**EXT.P.6: COPY OF THE ORDER ISSUED BY THE R.4. DTD. 22/09/2003.**

**//TRUE COPY//**

**prv.**

**KURIAN JOSEPH, J.**

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**W.P(C)No.40242 of 2003**

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**Dated this the 28th day of March, 2007**

**JUDGMENT**

The challenge is on Ext.P6 order passed by the 4th respondent. According to the petitioner the 4th respondent acted without jurisdiction. There is also a contention that the order is passed without hearing the petitioner. Learned counsel for the respondent, however, contends that the petitioner has an effective remedy by way of appeal and hence all these contentions taken by the petitioner can be pursued before the said authority. In the above circumstances, since there is such a statutory remedy available to the petitioner, the writ petition is disposed of as follows. In the event of the petitioner filing an appeal within a period of two months from today, the same shall be treated to have been filed in time. Thereafter the appellate authority shall consider the matter with notice to the petitioner and pass appropriate orders in accordance with law adverting to the contentions taken by the petitioner within another two months. In the meanwhile there will be a direction to the 5th respondent to look into Ext.P5 and take appropriate action to disburse the amounts, if any, to which the petitioner is eligible within a period of two months.

(KURIAN JOSEPH, JUDGE)

ahg.